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LAW CORPORATIONS1279 OAKMEAD PARKWAY
SUNNYVALE, CALIFORNIA 94086
(408) 720-8598 (Telephone)
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Deliver to: EXAMINER CHAMELR DAS
Firm Name: USPTO, Art Unit 2122
Fax Number: (703) 872-9306
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From: Vani Moodley, Esq.
Date: December 11, 2003 **Time:** 10:25 a.m. (PST)
Operator: Kathleen Muto **Matter:** Ser. No. 09/938,886
Atty Docket No.: 032481.P001C
Number of pages including cover sheet: 36

Message: THE ATTACHED DOCUMENTS WERE MAILED TO THE USPTO via U.S. FIRST CLASS MAIL ON October 3, 2003 and received by the USPTO October 6, 2003 as indicated by the date stamp on the copy of the Return Postcard.

It is respectfully requested that these documents be made part of the record and included in the examination of this application.

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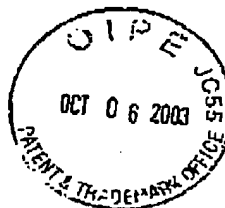
BLAKELY, BOKOLOFF, TAYLOR & ZAFMAN LLP
LOS ANGELES

W/

Application No.: 09/938,886 Filing Date: 8/24/2001 Docket #: 032481.P001C
Date Mailed: 10/03/2003 Due Date(s): _____
Client: NAZOMI COMMUNICATIONS INC. Atty/Sec: JHS/VXM/kik/js
Title: Java Virtual Machine Hardware For RISC and CISC Processors

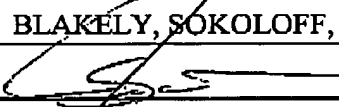
First Named Inventor: Mukesh K. PatelThe following has been received in the U.S.P.T.O. on the date stamped hereon:

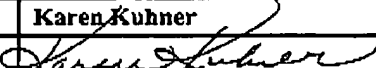
Certificate of Mailing
Fee Transmittal (original & copy)
Information Disclosure Statement & PTO/SB/08 (4 pgs)
Petition for: to Make Special (2 pages)
Transmittal Letter
Statement Under MPEP § 708.02, II (2) pages:
Cited Art (19)
Check No. in the amount of \$130.00
Check No. in the amount of \$145.00
Postcard

Assignee: Nazomi Communications, Inc.ENTERED
JHS DB

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	09/938,886
		Filing Date	August 24, 2001
		First Named Inventor	Mukesh K. Patel
		Art Unit	Unassigned
		Examiner Name	Unassigned
Total Number of Pages in This Submission	52	Attorney Docket Number	32481P001C

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Statement Under MPEP § 708.02, II (2) pages; Cited Art (19) Return Postcard</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	James H. Salter, Reg. No. 35,668 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	October 3, 2003

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Karen Kuhner		
Signature		Date	October 3, 2003

Based on PTO/SB/21 (09-03) as modified by Blakely, Sokoloff, Taylor & Zafman (v4r) 09/11/2003.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

The petition fee of \$130.00 is included herewith. If there are any additional charges, please charge them to Deposit Account Number 02-2666. If a telephone conference would facilitate the processing of this petition, the Examiner is invited to contact Vani Moodley at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN



Date: October 1, 2003

James H. Salter
Reg. No. 35,668

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1026
(408) 720-8300

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Atty. Docket No. 032481.P001C

STATEMENT UNDER MPEP § 708.02, II

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mukesh K. Patel, et al.

Application No.: 09/938,886

Filing Date: August 24, 2001

For: JAVA VIRTUAL MACHINE
HARDWARE FOR RISC AND
CISC PROCESSORS

Examiner: Unassigned

Art Unit: 2122

FIRST CLASS CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

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Karen L. Kuhner

(Name of Person Mailing Correspondence)

(Signature)

(Date)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450STATEMENT UNDER MPEP § 708.02, II

Sir:

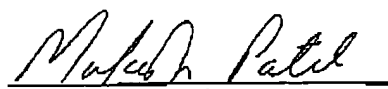
I, Mukesh K. Patel, hereby declare:

- 1) I am an Applicant named in U.S. Patent Application No. 09/938,886, filed on August 24, 2001.
- 2) I have instructed my patent attorneys, Blakely, Sokoloff, Taylor & Zafman, LLP, to file a Petition to Make Special Under 37 CFR § 1.102(d);

032481.P001C

- 3) I am aware of an infringing device or product actually on the market or method in use;
- 4) A rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and in my opinion, some of the claims are unquestionably infringed; and
- 5) I have made a careful and thorough search of the prior art and have good knowledge of the pertinent prior art.

I have enclosed herewith one copy of references deemed most closely related to the subject matter encompassed by the claims.



Mukesh K. Patel
President and CEO, Nazomi Communications, Inc.

October 1st 2003
Date